



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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April 17, 2007

IN REPLY PLEASE

REFER TO FILE: PD-6

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REQUEST FOR JURISDICTION
PECK ROAD UNDER UNION PACIFIC RAILROAD BRIDGE AND
VALLEY BOULEVARD BRIDGE OVER OLD VALLEY BOULEVARD AND
UNION PACIFIC RAILROAD
CITY OF INDUSTRY
SUPERVISORIAL DISTRICT 1
4 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that these two projects are exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Adopt the enclosed Resolution declaring Peck Road under Union Pacific Railroad Bridge, and Valley Boulevard Bridge over Old Valley Boulevard and Union Pacific Railroad, within the City of Industry to be a part of the County System of Highways.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City of Industry and the County of Los Angeles propose to seismically retrofit Peck Road under Union Pacific Railroad Bridge, and Valley Boulevard Bridge over Old Valley Boulevard and Union Pacific Railroad, which are all entirely within the City of Industry. The County, which is the lead project administrator, requires jurisdiction from the City of Industry in order to retrofit these bridges.

Sections 1700-1702 of the California Streets and Highways Code provide that the Board of Supervisors of any county may, by a resolution adopted by a four-fifths vote of its members, declare any highway in the county lying in whole or in part within a city to be a county highway for certain purposes, including improvement. The governing body of the affected city may consent to the relevant portion of the highway within its jurisdiction being included as a part of the county highway system. Thereafter, the Board of Supervisors of the county may acquire right of way, construct, maintain, improve, or repair such highway in the same manner as other county highways.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Service Excellence. By improving the safety of Peck Road under Union Pacific Railroad Bridge, and Valley Boulevard Bridge over Old Valley Boulevard and Union Pacific Railroad, residents of the City of Industry, nearby cities, and the unincorporated County areas who travel on Peck Road and Valley Boulevard will benefit, and their quality of life will be improved.

FISCAL IMPACT/FINANCING

Your Board's adoption of the enclosed Resolution will not directly result in any fiscal impact on the County. We will submit the project to your Board for approval to advertise a construction contract for the seismic retrofit improvements at a later date. These projects will be constructed as Federal-aid projects under the State Seismic Retrofit Program administered by the State of California. Under this Program, the entire cost of these projects will be financed with Federal and State funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Resolution provides for the County to perform the preliminary engineering and administer the construction of these projects under the Federal Highway Bridge Program.

The enclosed Resolution has been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

CEQA requires public agency decision makers to document and consider the environmental implications of their actions. The proposed projects are statutorily exempt from the provisions of CEQA pursuant to Public Resources Code Section 21080.16.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

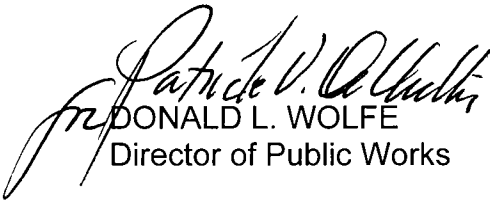
Following the Loma Prieta earthquake in the San Francisco Bay area in October 1989, emergency State legislation known as Senate Bill 36X was enacted, which requires that all existing publicly-owned bridges in the State be inspected and that those found to have a seismic structural deficiency be upgraded and retrofitted to conform with specific structural standards. The Senate Bill further provides for the County of Los Angeles to be the lead agency for inspecting and retrofitting all non-State highway bridges within Los Angeles County.

Peck Road and Valley Boulevard are on the County Highway Plan, and the proposed improvements are needed and of general County interest. These projects are tentatively scheduled to be advertised for construction bids in fall 2007, pending the City's consent to jurisdiction and the County obtaining the necessary Federal and State approvals. Each jurisdiction will be relinquished after completion of the corresponding project.

CONCLUSION

Enclosed are two copies of the Resolution. Upon approval by your Board, please return one adopted copy of this letter together with two certified copies of the Resolution to us for further processing.

Respectfully submitted,


DONALD L. WOLFE
Director of Public Works

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C070760
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Enc.

cc: Chief Administrative Office
County Counsel

**RESOLUTION DECLARING PECK ROAD UNDER UNION PACIFIC RAILROAD
BRIDGE AND THE BRIDGE PORTION OF VALLEY BOULEVARD OVER
OLD VALLEY BOULEVARD AND UNION PACIFIC RAILROAD IN THE
CITY OF INDUSTRY
TO BE A PART OF THE COUNTY SYSTEM OF HIGHWAYS**

WHEREAS, by reason of its location and travel thereon, Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad, which are entirely within the City of Industry, should be a part of the County System of Highways, for the purpose of retrofitting the bridge to current seismic design standards; and

WHEREAS, it is the purpose of the Board of Supervisors of said County to cause construction of the above-stated improvements and perform appurtenant work thereon provided the consent of the governing body of the City shall first be given by means of adopting the attached Resolution by the City Council of the City of Industry, California, consenting to the establishment of Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad, within said City, as part of the County System of Highways;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California, that the portion of Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad, which are entirely within the City of Industry, are hereby declared to be a part of the System of Highways of said County as provided in Sections 1700-1702 inclusive of the Streets and Highways Code of the State of California for the purpose of authorizing construction of the aforementioned work.

BE IT FURTHER RESOLVED: by the Board of Supervisors of the County of Los Angeles, State of California, that the County agrees:

- (a) That the County of Los Angeles shall not be responsible for any damage or liability occurring by reason of any roadway condition on the aforementioned streets, within the City of Industry, existing prior to the start of retrofit construction by the County or following the completion and field acceptance by the County of said construction.
- (b) That the work to be performed by the County shall not include roadway maintenance activities on Peck Road under Union Pacific Railroad and on Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad, within the City of Industry, prior to the start of retrofit, construction by the County or following the completion and field acceptance of said construction.

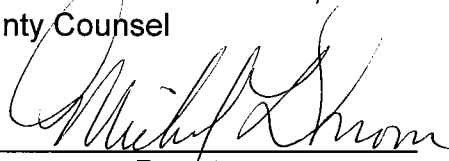
The foregoing Resolution was on the day _____ of _____, 2007, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessments and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA CONSENTING TO THE ESTABLISHMENT OF PECK ROAD UNDER UNION PACIFIC RAILROAD BRIDGE AND THE BRIDGE PORTION OF VALLEY BOULEVARD OVER OLD VALLEY BOULEVARD AND UNION PACIFIC RAILROAD, WITHIN SAID CITY, AS PART OF THE SYSTEM OF HIGHWAYS OF THE COUNTY OF LOS ANGELES

WHEREAS, the County of Los Angeles Board of Supervisors on _____, 2007 duly adopted a Resolution declaring Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad in the City of Industry to be a part of the County System of Highways for the purpose of performing a seismic safety retrofit of the bridges at the aforementioned locations, as provided in Sections 1700-1702 inclusive of the Streets and Highways Code of the State of California; and

WHEREAS, said Board of Supervisors by said Resolution requested this Council to give its consent to allow the County to perform seismic safety retrofit of the Bridges (the Retrofit Work), within the City of Industry; and

WHEREAS, it is the intent of the County of Los Angeles Board of Supervisors to perform the Retrofit Work, provided the consent of the governing body of the City shall first be given under the terms herein.

NOW, THEREFORE, the City Council of the City of Industry does resolve as follows:

SECTION 1. Consent to Inclusion in County Highway System – That the City does hereby consent to include Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad as part of the System of Highways of the County of Los Angeles as provided in Sections 1700-1704 inclusive of the Streets and Highways Code of the State of California, for the limited purpose of performing a seismic safety retrofit of the bridges at this location.

SECTION 2. Indemnification – That the City of Industry shall fully indemnify, defend, and hold the County of Los Angeles harmless in connection with the City's responsibility under Section 3. below, in addition to any and all claims, liability, injury (as defined by Government Code Section 810.8) or damage relating to the Bridges that is not caused directly by County's Retrofit Work.

SECTION 3. Roadway Maintenance – The City will remain the owner of the Bridges and remain responsible for all roadway maintenance activities and for any damage or liability occurring by reason of any roadway condition on the portion of Peck Road under Union Pacific Railroad Bridge and the bridge portion of Valley Boulevard over Old Valley Boulevard and Union Pacific Railroad prior to the start of construction

by the County or following the completion and field acceptance of said construction. Following completion of construction and County's field acceptance of the Retrofit Work, the City accepts ownership and full responsibility for all roadway maintenance, including relating to the Retrofit Work.

SECTION 4. Environmental Documentation – The City does hereby consent to adopt and concurs with the environmental findings pursuant to the California Environmental Quality Act that have been adopted by the County in connection with the Retrofit Work.

SECTION 5. Warranty for Retrofit Work – The County hereby assigns all of its right, title, and interest to the unlapsed portion of a one-year warranty granted to the County by the construction contractor performing the Retrofit Work following completion of construction of the Retrofit Work and field acceptance of said construction by County. The City agrees to accept said assignment as its sole remedy against the County in connection with defects relating to said Retrofit Work.

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